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ବ୍ରହ୍ମପୁର ମହାନଗର ନିଗମ

ବିଜ୍ଞାପନ

ତାରିଖ ୧୪-୧୨-୨୦୧୦

ସଂଖ୍ୟା ୧୩୧୫୩—ଏଡ଼୍‌ବାରା ସର୍ବସାଧାରଣଙ୍କ ଅବଗତ ନିମନ୍ତେ ଜଣାଇ ଦିଆଯାଉଅଛି ଯେ, ଯେଉଁମାନେ ବ୍ରହ୍ମପୁର ମହାନଗର ନିଗମ ସୀମା ମଧ୍ୟରେ ଓଡ଼ିଶା ମ୍ୟୁନିସିପାଲ କର୍ପୋରେସନ୍ ଆଇନ ଧାରା ୨୪୦ ଓ ୨୪୧ରେ ବର୍ଣ୍ଣିତ ଥିବା ବିଜ୍ଞାପନ ପ୍ରଦର୍ଶନ କରୁଛନ୍ତି, ସେମାନେ ଏଥିନିମନ୍ତେ ୨୦୧୧-୨୦୧୨ ଆର୍ଥିକ ବର୍ଷ ପାଇଁ ବ୍ରହ୍ମପୁର ନିଗମ ଦ୍ଵାରା ଧାରା ୬୫୭ ଓ ୬୫୮ ପ୍ରକାରେ ପ୍ରସ୍ତୁତ ନିୟମାବଳୀ ଏବଂ ନିଗମର ବୈଠକ ନିର୍ଦ୍ଧାରିତ ନଂ. ୨୨, ତା ୬-୧୦-୨୦୧୦ ତାରିଖରେ ଧାର୍ଯ୍ୟ କରାଯାଇଥିବା ଲାଇସେନ୍ସ ଫି ଦାଖଲ ପୂର୍ବକ ଯଥାବିଧି ଲାଇସେନ୍ସ ହାସଲ କରାଇ ନେବା ବାଧ୍ୟତାମୂଳକ ଅଟେ । ନିର୍ଦ୍ଧାରିତ ହାରରେ ଉପରୋକ୍ତ ଲାଇସେନ୍ସ ଫି ଯେକୌଣସି କାର୍ଯ୍ୟକାରୀ ଦିନ ଅର୍ଘ୍ୟ ସମୟ ମଧ୍ୟରେ ଗ୍ରହଣ କରାଯିବ ।

ଏଥି ନିମନ୍ତେ ବିଜ୍ଞାପନ ସହ ବ୍ରହ୍ମପୁର ମହାନଗର ନିଗମର ୨୦୧୧-୨୦୧୨ ସକାଶେ ଧାର୍ଯ୍ୟ କରାଯାଇଥିବା ଲାଇସେନ୍ସ ଫି ହାର ଦର୍ଶାଯାଇ ନିଗମ ଅର୍ଘ୍ୟ ନୋଟିସ୍ ବୋର୍ଡରେ ୩୦ (ତିରିଶ) ଦିନ ସକାଶେ ସର୍ବସାଧାରଣଙ୍କ ଅବଗତ/ମତାମତ ନିମନ୍ତେ ଲଟକାଇ ଦିଆଯାଇଛି । ଏହା ଯେକୌଣସି ଅର୍ଘ୍ୟ କାର୍ଯ୍ୟକାରୀ ଦିନ/ସମୟ ମଧ୍ୟରେ ଦେଖି ପାରିବେ ।

In exercise of the powers conferred by Sections 657, 658 and 659 of the Odisha Municipal Corporation Act, 2003 (Odisha Act 11 of 2003) the Berhampur Municipal Corporation hereby makes the following regulations having been approved and confirmed by Government, namely :—

1. Short Title & Commencement

(1) These regulations may be called the Berhampur Municipal Corporation Tax on Advertisement Regulations, 2012.

(2) They shall come into force on the date of their publication in the Official Gazette of the State.

2. Definitions

(1) In these regulation, unless the context otherwise requires :

- (a) “Act” means the Odisha Municipal Corporation Act, 2003
- (b) “Corporation” means the Berhampur Municipal Corporation constituted under the provisions of the Act.
- (c) “Form” means a form appended to these regulation,
- (d) “Section” means a Section of the Act.

(2) Words and expressions used but not defined shall have the meaning as assigned to them in the Act and Rules.

3. Prohibition of erection, exhibition, fixation, retention or display of advertisement without written permission of the Commissioner.

(a) No person shall erect, exhibit, fix or retain upon or over any land, building wall, hoarding frame, post, kiosks, structure, vehicle, neon sign or sky sign any advertisement or display any advertisement to public view in any manner whatsoever (including any advertisement exhibited by means of cinematography) visible from a public street or public place in any place within the Corporation area without the permission in writing of the Commissioner.

(b) The Commissioner shall not grant such permission if,—

- (i) a licence for use of the particular where site the purpose of advertisement has not been taken ; or
- (ii) the advertisement contravenes any of the provisions of the Act and the rules or the regulations made there under ; or
- (iii) the tax, if any, due in respect of the advertisement has not been paid.

(c) No person shall broadcast any advertisement, except on radio or television, without the permission in writing of the Commissioner.

4. Prohibition of erection, exhibition, fixation, retention or display of advertisement on historic public building.

No person shall erect, exhibit, fix, retain or display or cause to be erected, exhibited, fixed, retained or displayed any advertisement so as to cause damage to the amenities or national importance monument or public garden etc.

5. Prohibition of erection, exhibition, fixation, retention or display of advertisement

- (a) On roads, No person shall erect, exhibit, fix, retain or display or cause to be erected, exhibited, fixed, retained or displayed any advertisement on any land, building which may be opened to the view of traffic causing distraction to motorists thereby endangering public safety.
- (b) On temples, mosques, gurudwars, churches and other such religious place and lands and buildings within one hundred meter of such religious place.
- (c) Within one hundred meters of schools and colleges or other educational institutions.
- (d) On cremation grounds or lands building within one hundred meters of cremation grounds.
- (e) On any other street, road, crossing, junction, place, area, locality or part thereof as may be decided by the Commissioner from time to time in public interest for reasons to be recorded in writing.
- (f) As decided by the Municipal Commissioner from time to time.

6. Manner of display of advertisement on Vehicle

No vehicle used for the purpose of advertisement shall display any advertisement in a manner different from that as approved by the Commissioner.

7. Prohibition of advertisement by Broadcast

No person shall broadcast any advertisement except on Radio or Television without the written permission of the Commissioner.

8. Defacement of the sign or mark or letter of advertisement prohibited

No person shall deface or cause to be defaced any sign or mark or letter or word that, shall have been put by the Commissioner on the advertisement erected, exhibited, retained or displayed in token or their having been permitted or approved by tax having been collected thereon.

9. Advertisement on Hoarding

(1) The Advertisement on Hoardings —

- (a) Shall not be of more than 20' height from the ground level ;
- (b) Shall not project, or be on or over public passage beyond the general store or buildings in the street for which a regular location has been prescribed ;

- (c) Shall not exceed the size approved by the Commissioner ;
- (d) Shall not be put up or executed on the right of any road, provided that advertisement hoarding may be put up or erected adjacent to or near the footpaths of the roads, if such hoarding run parallel to the road and are otherwise permitted by the Commissioner.

(2) The base of the hoarding shall be at a height of 5' from the ground level and shall be at proper alignment. In conformity with other hoardings and at a distance of at least 10' from any other hoardings.

10. Procedure for grant of permission for erection, exhibition, fixation, retention or display of advertisement.

- (a) Every person desiring to erect, exhibit, fix, retain or display an advertisement shall apply to the Commissioner for permission in the form available in Corporation Office against payment of fees of Rs. 100. The said application form duly filled in all respects shall be submitted by the applicant in the Corporation Office against a proper receipt. The Commissioner may after making such inspection as may be necessary and satisfied of the land status and within thirty days after the receipt of the application, grant/refuse/renew or cancel the permission as the case may be in accordance with the provision of Act and the Regulations made thereunder.
- (b) The Commissioner may disapprove an advertisement among others, on the ground that its contents or the manner of its display is unsuitable from the consideration of public safety, traffic hazards or aesthetic design or otherwise offensive and in bad taste and offensive to public sentiments.
- (c) Every licence shall be for a period of one year except in case of sites used for temporary congregation including fairs, festivals, circus, yatra, exhibitions, sports, events or cultural or social programmes.
- (d) If any tax on advertisements is not paid within the stipulated time after the demand notice, the same shall be recovered as arrears of tax and the permission granted shall be deemed to have been terminated. The Commissioner shall at liberty to remove such hoardings.
- (e) If any advertisement is erected, exhibited, fixed or retained on any land and building unauthorised and in contravention to the provisions of the Act, and the Regulation made there under, such advertisement or hoarding shall be removed by the Commissioner without any notice whatsoever and expenses for the removal of such unauthorized advertisement or hoarding shall be recovered from the advertiser or exhibitor concerned at the rate of Rs. 5,000 per advertisement or hoarding for size up to 100 sqft. and Rs. 7,000 for sizes larger than 100 sqft. as per the provision of law.
- (f) The Commissioner shall cause to maintain a register showing the licenses issued under the Act and the Regulations.
- (g) The Corporation will go for an open tender and the highest bidder over and above the base price will be selected as the appropriate agency/firm to make advertisement.

11. Tax to be paid Advance,

- (a) The tax on each advertisement shall be payable in advance for the financial year concerned as per the charge specified in the Schedule to these regulations.
- (b) All dues shall be payable in Cash or Pay Order or Demand Draft.

12. Licensed or Registered Advertisement

- (a) No person except licensed or registered advertisers or agencies shall be allowed to undertake display of advertisements on behalf of other persons or agencies, but shall enroll themselves as licensed or registered advertisers with the Corporation by furnishing the required information, documents, security as may be determined by the Commissioner and shall pay the licence fee or registration fee and security deposit as may be determined by the Commissioner from time to time.
- (b) Persons intending to entrust the work of displaying advertisement on their behalf shall not entrust it to any unlicensed or unregistered advertiser.
- (c) A licensed or registered advertiser shall before displaying or causing the display of advertisements, satisfy himself that, the tax due thereon has been paid to the Corporation and the Commissioner's approval obtained thereof.
- (d) A licensed or registered advertiser shall maintain proper record of advertisement displayed by him and produce the same whenever required for inspection by the Commissioner or any other officer authorized by him.

13. Penalty

- (a) Whoever contravenes any of the provisions of these regulations and terms and conditions on the subject or fails to comply with the order of direction lawfully given shall be punishable with a fine of Rs. 100 per day till which such contravention continues. The contravention of these regulations shall be dealt with and punishable as per the provisions of the Act provided under Section 246,
- (b) Any other action including blacklisting of the defaulting agency or advertiser may also be taken as the Corporation may decide on the recommendation of the Commissioner.

By order of Berhampur Municipal Corporation

B. SETH

Municipal Commissioner

FORM

[See Regulation 10(a)]

Sold to _____

Vide M.R. No. _____/Dt. _____

To

The Municipal Commissioner/Deputy Municipal Commissioner,
Berhampur Municipal Corporation.

SUBJECT—Application for permission to display advertisement as required under Advertisement Regulations under O.M.C. Act, 2003.

Sir,

I/We intend to display advertisement on behalf of _____ in Berhampur Municipal Corporation area, as per the following, particulars :

1. Name of the Applicant :
2. Name of the Company/Firm :
3. Status of Applicant (Individual/Company) :
4. Permanent Address :
5. Present Address :
6. Telephone No. (if any) ; Office _____ Res. _____
7. Description of site on which the advertisement is intended to be displayed :
8. Size of the advertisement to be displayed :
9. Date from which the advertisement is intended to be displayed :
10. Document enclosed :
 - (a) Copy of allotment letter/consent letter from allotting authority :
 - (b) Copy of matter/advertisement to be displayed :
11. Certified that :
 - (a) I/We are registered as licensed advertiser with Berhampur Municipal Corporation and my/our licence is valid up to _____.
 - (b) The display of advertisement does not violate any of the provision of O.M.C. Act, 2003 and regulations made thereunder. The relevant provision of the O.M.C. Act/regulations have been read and understood and I/We shall abide the same.
 - (c) I/We undertake to pay all taxes, charges, rates etc under the provisions of O.M.C. Act & Regulations made thereunder.
12. I/We undertake that I/We shall be responsible for any injury or damage caused to any person or property due to advertisement and consequential claim (s) shall be borne by me/ us and I/We shall indemnify and safeguard the interest of Berhampur Municipal Corporation for the losses, damages, etc vide Clause (5) and pay fine as per the Regulations.

Date :

Signature of Applicant

SCHEDULE

CHARGES FOR ADVERTISEMENT

[See Regulation 1]

A. (i) Non-illumination advertisement on Hoardings/ Wall/Post/Kiosks/Frame/Structures/Bulletins, etc.	Rs. 60 per sqft. per year or part thereof.
(ii) For illuminated advertisement on Hoardings/ wall/Post/Kiosks/Frame/Structures/Bulletins, etc.	Rs. 50% surcharge over the above rate.
(iii) For illuminated/back lit on Hoarding/Wall/Post/ Kiosks/Frame/Structures/Bulletins, etc.	Rs. 100% surcharge over the above rate.
B. Collapsible Kiosks	Rs. 500 per month or part thereof irrespective each Kiosk.
C. Advertisement on Bus/Trucks	Rs. 600 per year or part thereof irrespective size
D. Advertisement on Bus/Mini Trucks	Rs. 300 per year or part thereof irrespective size
E. Advertisement on Car/Jeep/Van	Rs. 200 per year or part thereof irrespective size
F. Advertisement as on glow sign per sqft. premises/Walls.	Rs. 60 per sqft. per year or part thereof.
G. Advertisement by Umbrella per sqft.	Rs. 100 per sqft. per year or part thereof.
H. Advertisement by Balloons	Rs. 200 per sqft. per year or part thereof.
I. Advertisement by Audio/Sound/Amplifier/ Speakers.	Rs. 250 per unit of four speakers or part thereof per day.
J. For video display in public area	Rs. 200 per television screen per month or part thereof.
K. Poster per sqft.	Rs. 50 per month or part thereof.
L. Advertisement on wall	(i) Rs. 60 per sqft. per year or part thereof (Private Building). (ii) Rs. 100 per sqft. per year or part thereof (Govt. Building).
M. Advertisement shown on Cinema Hall	Rs. 1,000 per year or part thereof.
N. Advertisement shown in Cable Television	Rs. 3,000 per year or part thereof.
O. Mobile hoarding or hoarding mounted on vehicle.	Rs. 50 per sqft. per month or part thereof.
P. Advertisement on Shop Shutter	Rs. 150 each shutter per year or part thereof.